

Chairperson John R. Clark
Vice-Chairperson Michael Parks
Parliamentarian Don Maxwell



Commissioners
Michael Beckendorf
John Bond
Helen Chavarria
Robert Horton
G.H. Jones
Prentiss Madison

MINUTES

**BRYAN PLANNING AND ZONING COMMISSION
REGULAR MEETING
THURSDAY, DECEMBER 3, 2009
AT 6:00 P.M.
ROOM 305, BRYAN MUNICIPAL BUILDING
300 SOUTH TEXAS AVENUE, BRYAN, TEXAS**

Disclaimer: *The meeting minutes herein are a summarization of meeting procedures, not a verbatim transcription.*

1. CALL TO ORDER.

Chairperson Clark called the regular meeting to order at 6:20 p.m.

Commissioners	Present	2009 Regular Meetings Held	2009 Regular Meetings Attended	Regular Meetings Held During Last 6 Months	Regular Meetings Attended During Last 6 Months
Michael Beckendorf	Yes	18	17	8	7
Johnny Bond	Yes	18	17	8	7
Helen Chavarria	Yes	18	17	8	7
John R. Clark	Yes	18	18	8	8
Robert Horton	Yes	18	14	8	6
G. H. Jones	No	18	17	8	7
Prentiss Madison*	Yes	18	1	8	1
Don Maxwell	No	18	16	8	7
Michael Parks	No	18	12	8	5

*Appointed in November 2009.

Staff members present: Mr. Martin Zimmermann, Planning Administrator; Ms. Julie Fulgham, Senior Planner, Ms. Michelle Audenaert, Economic Development Planner; Ms. Meredith Wilganowski, Assistant City Attorney; and Mr. Brent Elliott, Planning Intern.

2. HEAR CITIZENS.

No one came forward.

3. RECOGNITION OF AFFIDAVITS FILED IN RESPONSE TO STATE LAW ON DISCLOSURE OF LOCAL OFFICIAL'S CONFLICT OF INTEREST.

Ms. Wilganowski advised that Chairperson Clark had filed an affidavit in response to state law on disclosure of local official's conflict of interest regarding regular agenda item #5 (Conditional Use Permit CU09-13). Chairperson Clark will not participate in deliberation or voting on the item.

4. CONSENT AGENDA.

- A. Approval of meeting minutes from the workshop and regular meetings on November 5, 2009.**
- B. Approval of calendar of meeting dates and deadlines in 2010.**
- C. Final Plat FP09-16: Caleb's Crossing Subdivision**

Commissioner Chavarria moved to approve the Consent Agenda. Commissioner Horton seconded the motion.

Chairperson Clark asked if there was any discussion.

There was none.

The motion passed with a unanimous vote.

5. Conditional Use Permit CU09-13: Masadeni Partnership

M. Zimmermann

A request for approval of a Conditional Use Permit to allow mini-warehouse/self storage use on property in a South College – Business (SC-B) zoning district, specifically on property 3810 Old College Road at the northwest corner of Old College Road and Mobile Avenue, being 1.1383 acres of land out of J.E. Scott Survey, A-50 in Bryan, Brazos County, Texas.

Mr. Martin Zimmermann, Planning Administrator, presented a staff report (on file in the Development Services Department). Staff recommends approval of the request based on the following findings:

- The proposed conditional use conforms to applicable regulations and standards established by the Zoning Ordinance which was amended earlier this year to potentially allow self-storage/mini-warehouse uses in SC-B Districts with prior approval of a Conditional Use Permit; and
- staff believes that a mini-warehouse/self-storage use at this location would allow for a transition of land use intensities from the more intense commercial activity surrounding the intersection of South College Avenue and Old College Road, to the residential neighborhoods farther west, south and east of the subject property; and
- staff believes that the adjoining street network can reasonably accommodate any traffic generated by the proposed development.

The public hearing was opened.

Mr. Martin Cangelose, 404 Tarrow Street, came forward as the developer for the project and to speak in favor of the request. Mr. Cangelose stated that he feels that the building will enhance the area.

Mr. Christian Galindo, 3107 Rolling Glen, came forward as the engineer for the project and to speak in favor of the request.

The public hearing was closed.

Commissioner Chavarria moved to approve Conditional Use Permit CU09-13, and to adopt the written staff report and analysis, as the report, findings and evaluation of the Commission. Commissioner Beckendorf seconded the motion.

Commissioner Bond asked if there was any discussion. There was none.

The motion passed with a unanimous vote. Chairperson Clark did not participate in deliberation and voting on this item due to a conflict of interest.

6. Planning Variance PV09-16: J. P. Mitchell Addition

J. Fulgham

A request for variance from the minimum 100-foot lot depth generally required on lots in Residential District - 5000 (RD-5) zoning districts, to allow the division of an existing lot into two lots with proposed lot depths of approximately 81 feet and 88 feet, respectively, on 0.274 acres of land in Block 18 of the J.P. Mitchell Addition currently addressed as 716 East 27th Street and situated between East 26th and 27th Streets near their intersection with Baker Avenue in Bryan, Brazos County, Texas.

Ms. Julie Fulgham, Senior Planner presented a staff report (on file in the Development Services Department). Staff recommends approval of the request based on the following findings:

- Staff believes that because this property is the largest in the vicinity and the subdivision of it into smaller lots will allow for new residential development consistent with surrounding residential development in terms of use, building height, bulk and scale, setbacks and open spaces; and
- staff believes that while the two new lots will be only between 81 and 88 80 feet in depth, their shallowness may be offset by their extraordinary width of about 70 feet.
- staff further believes the request will not be detrimental to the health, safety, and welfare of the citizens of the surrounding properties, nor the City as a whole.

The public hearing was opened.

Mr. Justin Whitworth, 2703 Colony Village Drive, came forward as the property applicant and to speak in favor of the request. Mr. Whitworth stated that he recently completed homes on two lots which he received a variance for a few months prior and wishes to do the same with the requested variance.

The public hearing was closed.

Commissioner Beckendorf moved to approve Planning Variance PV 09-16, because strict compliance with the regulation will result in undue hardship, and in so moved to adopt the written staff report and analysis as the findings of the Commission and the facts upon which those findings are based, with the understanding that such findings and facts will be entered into the official minutes of this Planning and Zoning Commission meeting. Commissioner Chavarria seconded the motion.

Chairperson Clark asked if there was any discussion. There was none.

The motion passed with a unanimous vote.

7. Replat RP09-26: J. P. Mitchell Addition

J. Fulgham

A proposed Replat of portions of Block 18 within the J.P. Mitchell Addition, being 0.274 acres of land currently addressed as 716 East 27th Street and situated between East 26th and 27th Streets near their intersection with Baker Avenue in Bryan, Brazos County, Texas.

Ms. Julie Fulgham, Senior Planner, presented a staff report (on file in the Development Services Department). Staff recommends approval of the request because the proposed replat conforms to all requirements of applicable codes and ordinances.

The public hearing was opened.

No one came forward.

The public hearing was closed.

Commissioner Horton moved to approve Replat RP09-26, the replat of portions of Block 18 within the J.P. Mitchell Addition, being 0.274 acres of land currently addressed as 716 East 27th Street and situated between East 26th and 27th Streets near their intersection with Baker Avenue in Bryan, based on staff's recommendations and review which considers adherence to all pertinent state and local requirements for replatting. Commissioner Beckendorf seconded the motion.

Chairperson Clark asked if there was any discussion. There was none.

The motion passed with a unanimous vote.

8. Replat RP09-07: Bryan Original Townsite

J. Fulgham

A proposed Replat of part of Block 271 of Bryan Original Townsite and a portion of former right-of-way for South Tabor Avenue, being 0.1963 acres of land adjoining the west side of South Tabor Avenue between East 31st and 32nd Streets in Bryan, Brazos County, Texas.

Ms. Julie Fulgham, Senior Planner, presented a staff report (on file in the Development Services Department). Staff recommends approval of the request because the proposed replat conforms to all requirements of applicable codes and ordinances.

The public hearing was opened.

No one came forward.

The public hearing was closed.

Commissioner Horton moved to approve Replat RP09-07, the replat of part of Block 271 of Bryan Original Townsite and a portion of former right-of-way for South Tabor Avenue, based on staff's recommendations and review which considers adherence to all pertinent state and local requirements for replatting. Commissioner Beckendorf seconded the motion.

Chairperson Clark asked if there was any discussion. There was none.

The motion passed with a unanimous vote.

9. Replat RP09-22: Margaret Wallace Subdivision

M. Audenaert

A proposed Replat of Lots 3, 4 and 5 in Block 16 of Margaret Wallace Subdivision, being 0.44 acres of land adjoining the southeast side of Northside Drive approximately 100 feet to 250 feet northeast from its intersection with Charleston Street (currently addressed as 2405 Northside Drive) in Bryan, Brazos County, Texas.

Ms. Michelle Audenaert, Economic Development Planner, presented a staff report (on file in the Development Services Department). Staff recommends approval of the request because the proposed replat conforms to all requirements of applicable codes and ordinances.

The public hearing was opened.

No one came forward.

The public hearing was closed.

Commissioner Bond moved to approve Replat RP09-22, the replat of Lots 3, 4 and 5 in Block 16 of Margaret Wallace Subdivision, based on staff's recommendations and review which considers adherence to all pertinent state and local requirements for replatting. Commissioner Horton seconded the motion.

Chairperson Clark asked if there was any discussion. There was none.

The motion passed with a unanimous vote.

10. Replat RP09-24: The Fields of Runnymede Subdivision

M. Audenaert

A proposed Replat of Lots 1 and 2 in Block 1 of The Fields of Runnymede Subdivision, being 2.25

acres of land adjoining the north side of State Highway 30, approximately 4,250 feet east from its intersection with Bird Pond Road (currently addressed as 13025 SH 30) in Bryan's extraterritorial jurisdiction (ETJ) in Brazos County, Texas.

Ms. Michelle Audenaert, Economic Development Planner, presented a staff report (on file in the Development Services Department). Staff recommends approval of the request because the proposed replat conforms to all requirements of applicable codes and ordinances.

The public hearing was opened.

No one came forward.

The public hearing was closed.

Commissioner Madison moved to approve Replat RP09-24, the replat of Lots 1 and 2 in Block 1 of The Fields of Runnymede Subdivision, based on staff's recommendations and review which considers adherence to all pertinent state and local requirements for replatting. Commissioner Bond seconded the motion.

Chairperson Clark asked if there was any discussion. There was none.

The motion passed with a unanimous vote.

11. Replat RP09-27: Riverstone Subdivision – Phase 2

M. Zimmermann

A proposed Replat of Lots 25, 26, 27 and 30 in Block 3 of Riverstone Subdivision – Phase 2, being 6.77 acres of land located generally north of Riverstone Drive between River Bend Court and River Rock Drive in Bryan's extraterritorial jurisdiction (ETJ) in Brazos County, Texas.

Mr. Martin Zimmermann, Planning Administrator, presented a staff report (on file in the Development Services Department). Staff recommends approval of the request because the proposed replat conforms to all requirements of applicable codes and ordinances.

The public hearing was opened.

No one came forward.

The public hearing was closed.

Commissioner Madison moved to approve Replat RP09-27, the replat of Lots 25, 26, 27 and 30 in Block 3 of Riverstone Subdivision – Phase 2, based on staff's recommendations and review which considers adherence to all pertinent state and local requirements for replatting. Commissioner Bond seconded the motion.

Chairperson Clark asked if there was any discussion. There was none.

The motion passed with a unanimous vote.

12. ADJOURN.

Without objection, Chairperson Clark adjourned the meeting at 6:42 p.m.

These minutes were reviewed and approved by the City of Bryan Planning & Zoning Commission on the 7th day of **January, 2010**.

John R. Clark, Chairperson
Planning and Zoning Commission
City of Bryan, Texas

Martin Zimmermann, Planning Administrator
and Secretary to the Planning and Zoning
Commission